

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

LOUIS LOPEZ,	§	
Plaintiff,	§	
	§	
V.	§	C.A. NO. C-08-24
	§	
27 th JUDICIAL DISTRICT COURT	§	
Defendant.	§	

MEMORANDUM OPINION AND ORDER OF TRANSFER

In this civil rights action filed pursuant to 42 U.S.C. § 1983, plaintiff sues the 27th Judicial District Court in Belton, Texas 76513 (D.E. 1), requesting relief from his sentencing. Belton is located in Bell County, which is located in the Waco Division of the Western District of Texas. 28 U.S.C. § 124(d)(2).

Venue in federal question cases lies in the district in which any defendant resides or in which a substantial part of the events or omissions giving rise to the claim occurred. 28 U.S.C. § 1391(b). A district court has the authority to transfer a case in the interest of justice to another district or division in which the action might have been brought. 28 U.S.C. §§ 1404, 1406; Balawajder v. Scott, 160 F.3d 1066, 1067 (5th Cir. 1998). The alleged events giving rise to plaintiff's claim occurred in Bell County, Texas.

Accordingly, it is ordered that the Clerk of the Court TRANSFER this action to the United States District Court for the Western District of Texas, Waco Division.¹ All pending motions are denied without prejudice, subject to renewal after the case is transferred.

ORDERED this 4th day of February, 2008.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE

¹A transfer to the Waco Division is also appropriate if the lawsuit is treated as a petition pursuant to 28 U.S.C. § 2254, because the plaintiff was convicted in Bell County. 28 U.S.C. § 2241(d).